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OMB 0651-0031

Substitute for FORM PTO-1449		Attorney Docket Number 101.0113-01000	Customer No. 22882	
<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>		Applicant Gary K. Michelson	Application Number 10/810,230	
(Use several sheets if necessary) Sheet 1 of 1		Filing Date March 27, 2004	Group Art Unit 3733-3743	Examiner -N/A-

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
RS	3,659,595	5/1972	Haboush			
	6,129,803	7/1992	Luhr et al.			
	5,234,431	8/1993	Keller			
	5,344,421	9/1994	Crock			
	6,470,333	11/1995	Ray			
	5,881,313	10/1997	Diaz			
	6,713,800	2/1998	Benzel et al.			
	5,800,433	9/1998	Benzel et al.			
	6,843,082	12/1998	Yuan et al.			
	6,117,135	12/2000	Schlapfer			
	6,159,213	12/2000	Rogozinski			
	6,302,883	10/2001	Bono			
	6,410,619	6/2002	Gruskin et al.			
	6,533,788	3/2003	Needham et al.			
	6,602,256	8/2003	Hayes			
	6,605,090	8/2003	Trieu et al.			
	6,645,208	11/2003	Apfelbaum et al.			
	6,702,817	3/2004	Beger et al.			
	2002/0055741	5/2002	Schlapfer et al.			
✓	2003/0229348	12/2003	Sevrain			

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION (YES/NO)
RS	DE4007308	5/1991	Germany			English Abstract
RS	DE19542084	6/1997	Germany			English Abstract

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

EXAMINER <i>Richard Shaffer</i>	DATE CONSIDERED 10/25/05
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

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Substitute for FORM PTO-1449 <i>O I P E</i> AUG 23 2004	Attorney Docket Number 101.0113-01000	Customer No. 22882	
INFORMATION DISCLOSURE CITATION IN AN APPLICATION	Applicant Gary K. Michelson	Application Number 10/810,230	
(Use several sheets if necessary) Sheet <u>1</u> of <u>1</u>	Filing Date March 27, 2004	Group Art Unit 3133-3743	Examiner -NIA-

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
RS	4,034,418	7/1977	Jackson et al.			
	4,743,258	5/1988	Brantigan			
	5,167,865	12/1992	McKinney			
	5,672,177	9/1997	Seldin			
	6,045,554	4/2000	Grooms et al.			
	6,217,580	4/2001	Levin			
	6,224,607	5/2001	Michelson			
	6,395,030	5/2002	Songer et al.			
↓	6,558,686	5/2003	Darouiche			

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION (YES/NO)

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER <i>Richard Shaffer</i>	DATE CONSIDERED <i>10/25/05</i>
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Substitute for FORM PTO-1449		Attorney Docket Number 101.0113-01000	Customer No. 22882	
<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>		Applicant Gary K. Michelson, M.D.	Application Number (Div. of 10/160,247)	
(Use several sheets if necessary) <u>Sheet 1 of 3</u>		Filing Date March 26, 2004	Group Art Unit 3733 (3732)	Examiner (M. Priddy)

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
RS	Des. 402,032	12/1998	Stone			
	Des. 406,646	03/1999	Stone			
	Des. 440,311	4/2001	Michelson			
	Des. 449,692	10/2001	Michelson			
	Re. 31,628	07/1984	Allgower et al.			
	1,105,105	7/1914	Sherman			
	3,604,414	9/1971	Borges			
	4,488,543	12/1984	Tomler			
	4,493,317	01/1985	Klaue			
	4,503,848	3/1985	Caspar et al.			
	4,651,724	03/1987	Berentey et al.			
	4,794,918	01/1989	Wolter			
	4,938,848	6/1990	Bagby			
	5,041,113	08/1991	Biedermann et al.			
	5,053,036	10/1991	Perrin et al.			
	5,127,912	07/1992	Ray et al.			
	5,147,381	09/1992	Ojima et al.			
	5,180,381	01/1993	Aust et al.			
	5,190,544	03/1993	Chapman et al.			
	5,209,751	5/1993	Farris et al.			
	5,300,073	04/1994	Ray et al.			
	5,364,399	11/1994	Lowery et al.			
	5,397,363	3/1995	Gelbard			
	5,423,826	06/1995	Coates et al.			
	5,520,690	May-96	Emico et al.			
	5,531,746	07/1996	Emico et al.			
	5,531,747	7/1996	Ray			
	5,549,612	08/1996	Yapp et al.			
↓	5,558,674	09/1996	Heggeness et al.			

RS	5,578,034	11/1996	Estes			
	5,601,553	02/1997	Trebing et al.			
	5,607,426	03/1997	Ralph et al.			
	5,616,142	4/1997	Yuan et al.			
	5,643,265	7/1997	Errico et al.			
	5,662,652	09/1997	Schafer et al.			
	5,676,666	10/1997	Oxand et al.			
	5,676,703	10/1997	Gelbard			
	5,735,853	04/1998	Olerud			
	5,735,899	4/1998	Schwartz et al.			
	5,755,798	5/1998	Ibo et al.			
	5,766,254	6/1998	Gelbard			
	5,876,402	3/1999	Errico			
	5,951,558	9/1999	Fiz			
	5,954,722	09/1999	Bono			
	5,984,763	10/1999	Incavo et al.			
	6,022,350	2/2000	Ganem			
	6,030,389	2/2000	Wagner et al.			
	6,136,001	10/2000	Michelson			
	6,139,550	10/2000	Michelson			
	6,152,927	11/2000	Farris et al.			
	6,193,721	2/2001	Michelson			
	6,224,602	5/2001	Hayes			
	6,228,085	5/2001	Theken et al.			
	6,235,034	5/2001	Bray			
	6,306,136	10/2001	Baccelli			
	6,328,738	12/2001	Suddaby			
	6,342,055	1/2002	Eisermann et al.			
	6,402,756	6/2002	Ralph et al.			
	6,413,259	7/2002	Lyons et al.			
↓	2002/0111630	8/2002	Ralph et al.			

#### FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION (YES/NO)
RS	DE 4409833	10/1995	Germany			Abstract Only
RS	DE 4414781	11/1995	Germany			U.S. Equivalent US 5,662,652
RS	WO 94/26183	Nov-94	WIPO			N/A
RS	WO 95/35067	12/1995	WIPO			N/A

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RS	WO 96/08208	03/1998	WIPO			N/A
	WO 96/39975	12/1996	WIPO			N/A
	WO 99/56653	11/1999	WIPO			N/A
	WO 01/26566	4/2001	WIPO			N/A
	WO 01/89428	11/2001	WIPO			N/A
↓	WO 02/085226	10/2002	WIPO			N/A

**OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)**

RS	Advertisement for Codman Anterior Cervical Plate System by Codman; Johnson & Johnson; Professional, Inc.; undated.
RS	AESCLAP Scientific Information Booklet; <u>Anterior Cervical Fusion and Interbody Stabilization with the Trapezial Osteosynthetic Plate Technique</u> by Wolfhard Casper; 2/88.
RS	SYNTHERS Spine Brochure for <u>Cervical Spine Locking Plate</u> ; 1991.
RS	ORION Brochure; <u>Anterior Cervical Plate System, Surgical Technique</u> , as described by Gary L. Lowery, M.D., Ph.D.; 1996.
RS	CODMAN Brochure; <u>Anterior Cervical Plate System</u> ; 9/1995.
—	SPINAL CONCEPTS Brochure; <u>The Acurix, Anterior Cervical Plate System</u> ; undated. (no copy)
RS	EBI Brochure; <u>Introducing EBI Vuelock, Anterior Cervical Plate System</u> ; 2001.
RS	BLACKSTONE Brochure; <u>Blackstone Anterior Cervical Plate</u> ; undated.
RS	ALPHATEC MANUFACTURING Brochure; <u>Deltaloc, Anterior Cervical Plate System</u> ; undated.
RS	SOFAMOR DANEK Brochure; <u>Atlantis, Anterior Cervical Plate System</u> ; undated.
—	ORTHO DEVELOPMENT Brochure; <u>Ortho Development Cervical Plates</u> ; undated. (no copy)
—	OSTEOTECH Brochure; <u>Affirm, Anterior Cervical Plate System</u> ; undated. (no copy)
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	DATE CONSIDERED 10/25/05

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